

Department of Community Planning and Economic Development
Rezoning, Variances and Site Plan Review
BZZ-6286

Date: December 2, 2013

Address of Property: 4525 and 4529 France Avenue South

Project Name: 4525 France Ave

Applicant: Scott Carlston, France Development, LLP (612-889-7898)

Contact Person and Phone: Bob Loken, ESG Architects (612-373-4616)

CPED Staff and Phone: Janelle Widmeier, Senior Planner (612-673-3156)

Date Application Deemed Complete: November 7, 2013

End of 60-Day Decision Period: January 6, 2014

End of 120-Day Decision Period: On November 18, 2013, staff sent a letter to the applicant extending the decision period to no later than March 7, 2014.

Ward: 13 **Neighborhood Organization:** Linden Hills Neighborhood Council

Existing Zoning: C1 Neighborhood Commercial District (4525 France Avenue South) and R5 Multiple-family District (4529 France Avenue South)

Proposed Zoning: R5 Multiple-family District

Zoning Plate Number: 29

Legal Description for 4525 France Avenue South: Lots 17, Block 3, Sunrise Addition to Minneapolis, Hennepin County, MN

Proposed Use: Construct a new 3-story multiple-family dwelling with 31 units.

Concurrent Review:

- Petition to rezone the property of 4525 France Ave from C1 Neighborhood Corridor Commercial District to R5 Multiple-family District.
- Variance to reduce the front yard requirement to allow the proposed building, balconies, canopy, and transformer.
- Variance to reduce the minimum drive aisle requirement from 22 feet to 2 feet.
- Site plan review.

Applicable zoning code provisions: Chapter 525, Article VI Zoning Amendments, Chapter 525, Article IX Variances, Specifically Section 525.520 (1) "To vary the yard requirements, including

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permitting obstructions into required yards not allowed by the applicable regulations” and (14) “To reduce the minimum required width of parking aisles...” and Chapter 530 Site Plan Review.

Background: The applicant, France Development, LLP, is proposing to construct a new 3-story residential development that includes 31 dwelling units on the properties located at 4525 and 4529 France Avenue South. The lobby, 2 dwelling units, and a bicycle storage room on the ground level will have entrances facing France Avenue. The proposal includes a total of 35 enclosed and 6 surface parking stalls. Access to the enclosed parking would be from France Avenue and the alley. The surface spaces would also be accessed from the alley. An existing single-family home and a 15-unit apartment building located on the properties will be demolished to make way for the development.

The following applications are required to allow the proposed development:

- The properties are currently zoned C1 Neighborhood Commercial District (4525 France Avenue) and R5 Multiple-family District (4529 France Avenue). The combining of land cannot result in more than one primary zoning classification on a single zoning lot. Therefore the applicant proposes to unify the underlying zoning by rezoning the C1 zoned property to the R5 district.
- A front yard is required adjacent to France Avenue. The minimum front yard requirement is 15 feet unless the setback of an adjacent structure, originally designed for residential purposes located on the same block face on either side of the property, is greater. The structure to the north was originally constructed as a nonresidential building and is located in the C1 district. The adjacent residential structure to the south is set back 29.6 feet from the front lot line. Therefore, a 29.6 foot front yard is required. The proposed building would be set back up to 15 feet from the front lot line. Balconies not exceeding 50 square feet in area and projecting not more than 4 feet into the required yard, and canopies projecting not more than 2.5 feet into the yard are permitted obstructions in front yards. The proposed balconies and canopy do not comply with all of the allowed location and size requirements. Transformers are not permitted obstructions. Therefore, a variance is required to reduce the front yard requirement to allow the proposed building, balcony, canopy, and transformer locations.
- The minimum drive aisle width requirement for two-way traffic adjacent to 90 degree angled parking is 22 feet. A 2 foot wide drive aisle would be provided between the surface parking spaces and the public alley. A variance is required to reduce the minimum drive aisle width requirement to allow the surface parking spaces adjacent to the alley.
- Site plan review is required for any development with five or more dwelling units.

The City Council had previously approved a moratorium on large-scale development within Neighborhood Commercial Nodes and along Community Corridors in the Linden Hills Neighborhood. The moratorium expired on March 30, 2013. A small area planning process has been underway since early 2013. The 45-day comment period for the plan concluded on October 21, 2013. The City Planning Commission (CPC) will hold a public hearing on December 2nd. The Zoning & Planning Committee of the City Council will discuss the CPC recommendation at their public meeting on December 9th and will forward a recommendation for action by the full City Council on December 13th. On the subject site, the plan currently recommends medium density development of up to 44 feet in height (3 to 4-stories) as measured from the curb level. Building and site design recommendations that would affect this site also include:

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- The fourth story of any building in the three neighborhood commercial nodes and along the community corridors shall be stepped back from the street facing façade(s) of the building by at least 10 feet.
- When a new three or four story building is adjacent to single- or two-family structures, the top floor shall be setback an additional 10 feet from the required rear and side yards of the property. Adjacent structures are defined as properties that share a side or rear property line or an alley with the subject property.
- Encourage building designs that articulate or enliven the rear façade.
- Encourage site designs that use vegetative buffers to reduce the visual impacts of higher density development on adjacent lower density development.

The proposed building is 3-stories in height and 42 feet tall as measured from the curb. The rear façade would be articulated and the site design would include vegetative buffers.

Post Committee of the Whole meeting changes to the plans

The developer brought the project to two CPC Committee of the Whole (COW) meetings; one on September 19, 2013 and the other on October 17, 2013. Between the two meetings, the proposal was modified by reducing the building height from 4 to 3 stories, reducing the number of units from 32 to 31, and relocating the primary vehicle access to France Avenue. Changes that have been made to the plans to address commissioner comments include the following:

- Providing additional context information in a profile elevation of the block with the existing and allowed building heights.
- Incorporating a bicycle repair shop in the bicycle parking storage room to increase active uses fronting France Avenue. The displaced bicycle spaces were relocated to the enclosed parking garage.

There have been previous land use submittals and actions for the properties as follows:

(1) BZZ-5280 / 4525 France Avenue South / Conditional Use Permit, Variances and Site Plan Review

The Minneapolis City Planning Commission approved the project at its meeting of October 3, 2011. The actions were not appealed during the 10-day appeal period. The approval was for a new 3-story, 42-foot tall, mixed-use development that included a single 1,000 square foot ground level commercial space and 6 dwelling units. The specific land use applications that were approved included:

- Conditional use permit to allow 6 dwelling units;
- Variance of the front yard setback requirement adjacent to France Avenue South for the first 40 feet from south to north from 15 feet to 0 feet at the closest point to allow a new mixed-use development;
- Variance of the interior side yard setback requirement along the south property line due to a side residential entrance that faces the lot line;
- Variance to allow surface parking within 6 feet of a dwelling unit; and
- Site plan review.

(2) BZZ-5503 / 4525, 4529, 4537 and 4541 France Avenue South / Rezoning, Variances and Site Plan Review

The Minneapolis City Planning Commission denied the project at its meeting of April 23, 2012. An appeal was filed, but was later withdrawn. The denied project was for a new 4-story, 56-foot tall, mixed-use development that included two 2,960 square foot ground level neighborhood serving retail sales and services uses and 62 dwelling units.

(3) BZZ-5652 / 4525, 4529, 4537 and 4541 France Avenue South / Waiver from Moratorium Application

The Minneapolis Zoning and Planning Committee denied a moratorium waiver request at its meeting of August 23, 2012, as did the City Council on August 31, 2012. The waiver application was for a new 60-unit, multi-family residential building that varied in height from two to four stories and had a floor area ratio of more than 1.7.

Correspondence from the neighborhood group, Linden Hills Neighborhood Council, was received and is attached to this report. Any correspondence received after the printing of this report will be forwarded on to the Planning Commission for consideration.

REZONING: Petition to rezone the property of 4525 France Avenue South from C1 to R5.

Findings as Required by the Minneapolis Zoning Code:

1. Whether the amendment is consistent with the applicable policies of the comprehensive plan.

According to *The Minneapolis Plan for Sustainable Growth*, the future land use designation of the property of 4525 France Avenue South is mixed use. It is located one parcel outside the designated Morningside Neighborhood Commercial Node boundary located at West 44th Street and France Avenue South. Both France Avenue South and West 44th Street (which is approximately two blocks away from the subject site) are designated Community Corridors.

The comprehensive plan states that “Community Corridors support new residential development from low- to high-density in specified areas, as well as increased housing diversity in neighborhoods. Community Corridors support limited commercial uses that are frequently concentrated in Neighborhood Commercial Nodes. Design and development along Community Corridors is oriented towards the pedestrian experience and residential quality of life. These streets carry moderate volumes of traffic. These streets are important travel routes for both neighborhood residents and through traffic.”

The other parcel within the proposed development site, 4529 France Avenue South, is zoned R5. The future land use designation of this property urban neighborhood. Urban neighborhoods are further defined as “predominantly residential area with a range of densities, with highest densities generally to be concentrated around identified nodes and corridors.”

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According to the principles and policies outlined in the plan, the following apply to this proposal:

Land Use Policy 1.1: Establish land use regulations to achieve the highest possible development standards, enhance the environment, protect public health, support a vital mix of land uses, and promote flexible approaches to carry out the comprehensive plan.

1.1.5 Ensure that land use regulations continue to promote development that is compatible with nearby properties, neighborhood character, and natural features; minimizes pedestrian and vehicular conflict; promotes street life and activity; reinforces public spaces; and visually enhances development.

Land Use Policy 1.2: Ensure appropriate transitions between uses with different size, scale, and intensity.

1.2.1 Promote quality design in new development, as well as building orientation, scale, massing, buffering, and setbacks that are appropriate with the context of the surrounding area.

Land Use Policy 1.8: Preserve the stability and diversity of the city's neighborhoods while allowing for increased density in order to attract and retain long-term residents and businesses.

1.8.1 Promote a range of housing types and residential densities, with highest density development concentrated in and along appropriate land use features.

1.8.2 Advance land use regulations that retain and strengthen neighborhood character, including direction for neighborhood serving commercial uses, open space and parks, and campus and institutional uses.

Land Use Policy 1.9: Through attention to the mix and intensity of land uses and transit service, the City will support development along Community Corridors that enhances residential livability and pedestrian access.

1.9.6 Promote more intensive residential development along Community Corridors near intersections with Neighborhood Commercial Nodes and other locations where it is compatible with existing character.

Land Use Policy 1.11: Preserve and enhance a system of Neighborhood Commercial Nodes that includes a mix of housing, neighborhood-serving retail, and community uses.

1.11.5 Encourage the development of medium- to high-density housing where appropriate within the boundaries of Neighborhood Commercial Nodes, preferably in mixed use buildings with commercial uses on the ground floor.

1.11.6 Encourage the development of medium-density housing immediately adjacent to Neighborhood Commercial Nodes to serve as a transition to surrounding low-density residential areas.

Housing Policy 3.1: Grow by increasing the supply of housing.

3.1.1 Support the development of new medium- and high-density housing in appropriate locations throughout the city.

Housing Policy 3.2: Support housing density in locations that are well connected by transit, and are close to commercial, cultural and natural amenities.

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- 3.2.1 Encourage and support housing development along commercial and community corridors, and in and near growth centers, activity centers, retail centers, transit station areas, and neighborhood commercial nodes.

Housing Policy 3.6: Foster complete communities by preserving and increasing high quality housing opportunities suitable for all ages and household types.

- 3.6.1 Promote the development of housing suitable for people and households in all life stages that can be adapted to accommodate changing housing needs over time.
- 3.6.4 Provide and maintain moderate and high-density residential areas, as well as areas that are predominantly developed with single and two family structures.

Staff Comments: The proposed rezoning is consistent with the comprehensive plan, *The Minneapolis Plan for Sustainable Growth*. As noted above, the property of 4525 France Avenue South is zoned C1, but is located outside of the designated commercial node. Rezoning the property to R5 will allow for residential development to occur on a Community Corridor and create a transition in density between the Neighborhood Commercial Node and the surrounding lower density residential area.

The applicant proposes a density of approximately 71 dwelling units per acre, which is considered high density by the comprehensive plan. As noted in the plan, “the densities specified below are not meant to be precise, but rather to provide guidance to the appropriate range for each category.” The following density categories are identified in the plan:

- Low-density residential – Primarily single family and two family residential, with less than 20 dwelling units/acre;
- Medium-density residential – Primarily smaller scale multi-family residential, with 20-50 units/acre;
- High-density residential – Primarily higher intensity multi-family housing, with 50-120 units/acre;
- Very-high density residential – Primarily very high intensity multi-family, with more than 120 units/acre.

Higher density is appropriately located on a Community Corridor when it is adjacent to a Neighborhood Commercial Node. The plan encourages high density residential development within neighborhood commercial nodes and transitioning down to medium density in surrounding areas. While the density of the proposed development is considered high density, it is establishing a transition to the surrounding lower density area.

Both the C1 and R5 Districts allow low- to high-density development. Earlier this year, the City Council adopted a zoning code amendment that eliminated the minimum lot area requirements based on the proposed number of dwelling units in the C1, R5 and other zoning districts. Prior to the code change, the minimum lot area requirements for the C1 and R5 districts were the same. If those previous requirements were applied to this development, the proposed number of units would be allowed in both districts. Granting the rezoning will result in consistent zoning of the development site.

2. Whether the amendment is in the public interest and is not solely for the interest of a single property owner.

The subject site is located on a Community Corridor and in close proximity to a Neighborhood Commercial Node where higher density residential uses are appropriately located. The rezoning would allow the city to increase its supply of housing on a street served by public transportation. The amendment is in the public interest and not solely in the interest of the property owner.

3. Whether the existing uses of property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification, where the amendment is to change the zoning classification of particular property.

The uses within the area include various residential and commercial uses. The other property that makes up the proposed development site, 4529 France Avenue, is currently zoned R5. Nonresidential properties are located to the north along France Avenue South and are zoned C1 and C2. Residential properties are located to the south along France Avenue South and are zoned R2B. Properties to the east are zoned R1. Properties to the west of the site, located in the City of Edina, are occupied by residential and nonresidential uses. The adjacent nonresidential property to the north is a place of assembly. The adjacent residential property to the south is a multiple-family dwelling with 5 units. The residential properties located directly across the alley are single-family dwellings. The existing C1 zoning allows low- to high-density residential development and a large range of retail sales and commercial services uses. The R5 District allows low- to high-density residential development, but very few nonresidential uses. Because the property is located on a Community Corridor in close proximity to the Neighborhood Commercial Node, the proposed zoning would be compatible with the surrounding uses and zoning classifications.

4. Whether there are reasonable uses of the property in question permitted under the existing zoning classification, where the amendment is to change the zoning classification of particular property.

There are reasonable uses of the property permitted under the C1 zoning district. However, granting the rezoning will result in consistent zoning of the development site and create a transition in density between the Neighborhood Commercial Node and the surrounding lower density residential area. The other property that makes up the proposed development site, 4529 France Avenue, is currently zoned R5. The applicant is proposing to rezone 4525 France Avenue from C1 to R5 to make the zoning consistent. A unified development on the properties of 4525 and 4529 France Avenue South is not allowed unless the primary zoning classification of the development site is also unified. As noted by the applicant, combining the parcels is necessary to create a development site large enough to accommodate enclosed, structured parking.

The existing C1 zoning allows low- to high-density residential development and a large range of retail sales and commercial services uses. The R5 District allows low- to high-density residential development, but very few nonresidential uses. An attachment to this report details the other differences between the existing and proposed zoning classification for the site.

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As noted above, both the C1 and R5 Districts allow low- to high-density development. Earlier this year, the City Council adopted a zoning code amendment that eliminated the minimum lot area requirements based on the proposed number of dwelling units in most zoning districts, including the C1 and R5 districts. Prior to the code change, the minimum lot area requirements for the C1 and R5 districts were the same. If those previous requirements were applied to this development, the proposed number of units would be allowed in both districts without variances.

5. Whether there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its present zoning classification, where the amendment is to change the zoning classification of particular property.

Prior to 1999, the properties within the Morningside Neighborhood Commercial Node and 4519 and 4525 France Avenue South were zoned B3-1 Community Retail District, which was similar to today's C1 District. The surrounding properties to the south and east were similarly zoned as they are today. The properties to the west are located in Edina. There has not been a significant ongoing change in the character and trend of development within the general area. Rezoning the property to R5 will allow for residential development to occur on a Community Corridor and create a transition in density between the commercial node and the surrounding lower density residential area.

VARIANCE: To reduce the front yard requirement to allow the proposed building, balcony, canopy, and transformer locations.

Findings as Required by the Minneapolis Zoning Code for the Variance:

1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.

A front yard is required adjacent to France Avenue. The minimum front yard requirement is 15 feet unless the setback of an adjacent structure, originally designed for residential purposes located on the same block face on either side of the property, is greater. The structure to the north was originally constructed as a nonresidential building and is located in the C1 district. The adjacent residential structure to the south is set back 29.6 feet from the front lot line. (The front vestibule of the adjacent residential structure is located 27.7 feet from the front lot line; however, it is a permitted obstruction and the front yard requirement is not measured from permitted obstructions.) Therefore, a 29.6 foot front yard is required. Balconies not exceeding 50 square feet in area and projecting not more than 4 feet into the required yard, and canopies projecting not more than 2.5 feet into the yard are permitted obstructions in front yards. Transformers are not permitted obstructions.

The proposed building would be set back up to 15 feet from the front lot line. The proposed balconies would be approximately 70 to 80 square feet in area and would be 6 to 7 feet deep. The canopy proposed over the front entrance would be 8 feet deep by 16 feet wide. The transformer would be located at the northwest corner of the site.

Practical difficulties exist in complying with the ordinance. The front yard requirement is not reflective of the mixed use character of the France Avenue frontage in and adjacent to the Morningside Neighborhood Commercial Node. Locating the proposed building closer to the front property line is more consistent with the approximately 3 foot setback of the Lake Harriet Masonic Center building that is located directly north of the subject property. Active uses with entrances providing direct access to France Avenue in the basement level of the building that reinforce the street wall further warrant allowing the building to be located closer to the front lot line. The applicant has also located the building closer to the street in order to provide greater separation and a landscape buffer between the rear of the building and the adjacent single-family residences located across the alley. The balconies and entrance canopy are integrated into recessed areas of the front façade and provide additional active uses and visual interest to the street facing facade. There are limited options for where a transformer can be located with the on-site grade changes, convenient access that is needed for the utility provider, and the proximity of surrounding residential uses. The proposed mitigation measures help to create a transition in density between the commercial node and the surrounding lower density residential area.

2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

In general, yard controls are established to provide for the orderly development and use of land and to minimize conflicts among land uses by regulating the dimension and use of yards in order to provide adequate light, air, open space and separation of uses. Policies of the comprehensive plan also support the purpose of the yard ordinances. As discussed above, the proposed building location helps to create a transition in density between the commercial node and the surrounding lower density residential area. The balconies and entrance canopy are integrated into recessed areas of the front façade and provide additional active uses and visual interest to the street facing facade. The transformer will be located between a retaining wall and driveway and screened by landscaping to minimize its visibility and yet will remain accessible to the utility provider. The request is reasonable and in keeping with the spirit and intent of the ordinance and the comprehensive plan.

3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

The adjacent residential structure to the south, which establishes the front yard setback requirement for the subject property, is setback 29.6 feet from the front lot line. The front yard requirement is not reflective of the mixed use character of the France Avenue frontage in and adjacent to the Morningside Neighborhood Commercial Node. The adjacent nonresidential structure to the north, the Lake Harriet Masonic Center building, is setback only 3 feet from the front lot line. Active uses with entrances providing direct access to France Avenue in the basement level of the building that reinforce the street wall further warrant allowing the building to be located closer to the front lot line. The applicant has also located the building closer to the street in order to provide greater separation and a landscape buffer between the rear of the building and the adjacent single-family residences located across the alley. The balconies and entrance canopy are integrated into recessed

areas of the front façade and provide additional active uses and visual interest to the street facing facade. The transformer would be separated from the property to the north by a retaining wall and would be screened from the street by landscaping. For these reasons, granting the variance would not adversely alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity, nor would it be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.

VARIANCE: To reduce the minimum drive aisle width from 22 feet to 2 feet.

Findings as required by the Minneapolis Zoning Code:

- 1. Practical difficulties exist in complying with the ordinance because of circumstances unique to the property. The unique circumstances were not created by persons presently having an interest in the property and are not based on economic considerations alone.**

A surface parking area with six spaces is proposed behind the building. There is currently a 10 space parking lot at the rear of the site. As with the proposed parking lot, the parking spaces are perpendicular to the alley and the drive aisle overlaps the alley. The existing on-site drive aisle is approximately three feet wide. The proposed drive aisle would be reduced to two feet. The parking that will be provided in the building is sufficient to meet the minimum parking requirement for the development. However, the applicant has stated that, having maximized the feasibility of providing enclosed parking, the surface spaces are proposed to address concerns raised by surrounding neighbors that there would not be ample parking for the development which would result in overflow parking consuming the availability of on-street parking. There is room to orient the parking spaces parallel to the alley and to provide the required drive aisle on-site; however, it would reduce green space on the site. These circumstances are unique to the property and have not been created by the applicant.

- 2. The property owner or authorized applicant proposes to use the property in a reasonable manner that will be in keeping with the spirit and intent of the ordinance and the comprehensive plan.**

The minimum drive aisle width requirement is established to ensure adequate room to maneuver without affecting adjacent land uses. A 22-foot drive aisle is required for two-way traffic and a 20-foot wide drive aisle is required for one-way traffic. The proposed two-foot wide drive aisle would abut a 14-foot wide public alley. There is currently a 10 space parking lot at the rear of the site. As with the proposed parking lot, the parking spaces are perpendicular to the alley and the drive aisle abuts the alley. There is room to orient the parking spaces parallel to the alley and to provide the required drive aisle on-site; however, it would reduce green space on the site. To ensure that vehicle maneuvering would not occur on properties across the alley and multiple vehicle maneuvering will not be needed to access the surface parking area, staff is recommending that the width of the parking spaces are increased to at least 10 feet. Increasing the width of the parking spaces may result in the elimination of one space or the loss of some green space. With the adoption of the staff recommendation, the request is reasonable and would be in keeping with the spirit and intent of the ordinance and the comprehensive plan.

- 3. The proposed variance will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity. If granted, the proposed variance will not be detrimental to the health, safety, or welfare of the general public or of those utilizing the property or nearby properties.**

The parking areas for the multiple-family dwellings located to the south of the subject site abut and use the alley for maneuvering as well. Garages for residential uses are located across the alley. A 10 space parking lot is currently located behind the building with parking spaces that are perpendicular to the alley and a drive aisle that abuts the alley. The number of parking spaces will be reduced from 10 to 6. To ensure that vehicle maneuvering would not occur on properties across the alley and multiple vehicle maneuvering will not be needed to access the surface parking area, staff is recommending that the width of the parking spaces are increased to at least 10 feet. Increasing the width of the parking spaces may result in the elimination of one space or the loss of some green space. With the adoption of the staff recommendation, the granting of the variance should have little effect on surrounding property.

SITE PLAN REVIEW

Findings as Required by the Minneapolis Zoning Code:

- A. The site plan conforms to all applicable standards of Chapter 530, Site Plan Review. (See Section A Below for Evaluation.)**
- B. The site plan conforms to all applicable regulations of the zoning ordinance and is consistent with applicable policies of the comprehensive plan and applicable small area plans adopted by the city council. (See Section B Below for Evaluation.)**

Section A: Conformance with Chapter 530 of Zoning Code

BUILDING PLACEMENT AND DESIGN:

- Placement of the building shall reinforce the street wall, maximize natural surveillance and visibility, and facilitate pedestrian access and circulation.
- First floor of the building shall be located not more than eight (8) feet from the front lot line (except in C3S District or where a greater yard is required by the zoning ordinance). If located on corner lot, the building wall abutting each street shall be subject to this requirement.
- The area between the building and the lot line shall include amenities.
- The building shall be oriented so that at least one (1) principal entrance faces the public street. In the case of a corner lot, the principal entrance shall face the front lot line.
- Except in the C3S District, on-site accessory parking facilities shall be located to the rear or interior of the site, within the principal building served, or entirely below grade.
- For new construction, the building walls shall provide architectural detail and shall contain windows as required by Chapter 530 in order to create visual interest and to increase security of adjacent outdoor spaces by maximizing natural surveillance and visibility.
- In larger buildings, architectural elements, including recesses or projections, windows and entries, shall be emphasized to divide the building into smaller identifiable sections.
- Blank, uninterrupted walls that do not include windows, entries, recesses or projections, or other architectural elements, shall not exceed twenty five (25) feet in length.
- Exterior materials shall be durable, including but not limited to masonry, brick, stone, stucco, wood, metal, and glass.

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- The exterior materials and appearance of the rear and side walls of any building shall be similar to and compatible with the front of the building.
 - The use of plain face concrete block as an exterior material shall be prohibited fronting along a public street, public sidewalk, public pathway, or adjacent to a residence or office residence district.
 - Entrances, windows, and active functions:
 - Residential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as porches and roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Twenty (20) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - Nonresidential uses:
 - Principal entrances shall be clearly defined and emphasized through the use of architectural features such as roofs or other details that express the importance of the entrance. Multiple entrances shall be encouraged. Thirty (30) percent of the walls on the first floor and ten (10) percent of the walls on each floor above the first that face a public street, public sidewalk, public pathway, or on-site parking lot, shall be windows as follows:
 - a. Windows shall be vertical in proportion.
 - b. Windows shall be distributed in a more or less even manner.
 - c. The bottom of any window used to satisfy the ground floor window requirement may not be more than four (4) feet above the adjacent grade.
 - d. First floor or ground floor windows shall have clear or lightly tinted glass with a visible light transmittance ratio of 0.6 or higher.
 - e. First floor or ground floor windows shall allow views into and out of the building at eye level. Shelving, mechanical equipment or other similar fixtures shall not block views into and out of the building in the area between four (4) and seven (7) feet above the adjacent grade. However, window area in excess of the minimum required area shall not be required to allow views into and out of the building.
 - f. Industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, may provide less than thirty (30) percent windows on the walls that face an on-site parking lot, provided the parking lot is not located between the building and a public street, public sidewalk or public pathway.
 - g. In multiple tenant buildings, each individual ground level tenant space that faces a public street, public sidewalk, public pathway, or on-site parking lot shall comply with the minimum window requirements of this section.
- Minimum window area shall be measured as indicated in section 530.120 of the zoning code.
- Minimum window area shall be measured as indicated in section 530.120 of the zoning code.
- Ground floor active functions: Except for industrial uses in Table 550-1, Principal Industrial Uses in the Industrial Districts, the first floor or ground level of buildings shall be designed to accommodate active functions by ensuring that parking, loading, storage, or mechanical equipment rooms are limited to no more than thirty (30) percent of the linear building frontage along each wall facing a public street, public sidewalk, or public pathway.
 - The form and pitch of roof lines shall be similar to surrounding buildings.
 - Parking Garages: The exterior design shall ensure that sloped floors do not dominate the appearance of the walls and that vehicles are screened from view. In addition to compliance with minimum window requirements, principal and accessory parking garages shall comply with provisions requiring active functions on the ground floor. In the downtown districts, the more restrictive parking garage provisions of Chapter 549, Downtown Districts, shall apply.

Conformance with the above requirements:

- The building is subject to a front yard requirement along the west property line adjacent to France Avenue South of 29.6 feet. The applicant is requesting a variance to reduce the requirement to approximately 15 feet. CPED staff is recommending approval of the variance.

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- Landscaping will be provided between the building and the street in areas not occupied by the driveway and walkways.
- The principal entrance faces the street. Separate entrances for the ground level units are also proposed.
- Parking will be located in and behind the building.
- The building would contain architectural elements, including recesses, projections, balconies, a variety of materials, windows, and an entrance canopy to divide the building into smaller identifiable sections.
- There would not be any blank, uninterrupted walls that do not contain sufficient architectural elements exceeding 25 feet in width.
- The proposed exterior materials include brick, cast stone, fiber cement lap siding and glass. The use of fiber cement would not exceed 30 percent of any building elevation. The combination of materials is durable.
- All sides of the building would be similar and compatible to each other.
- Plain faced concrete block is not a proposed exterior material.
- The principal entrance will be surrounded by windows and sheltered by a canopy to emphasize its importance.
- Separate entrances for the ground level units are also proposed.
- The west building walls and the east and south building walls facing the surface parking area are subject to the minimum window requirements.
 - *West, ground floor (basement level):* At least 20 percent of the ground floor wall facing France Avenue, measured between 2 and 10 feet above the adjacent grade, is required to be windows. Twenty percent of that area of the ground floor wall is equal to 211 square feet. The proposed amount of windows is approximately 17.6 percent. Please note that windows in principal entrance and garage doors are not counted towards meeting this requirement. The applicant is requesting alternative compliance (please see the alternative compliance section below for further analysis).
 - *West, upper floors:* At least 10 percent of each of the upper level walls are required to be windows. Ten percent of each upper floor wall is equal to 139 square feet. The proposed amount of windows on each wall is approximately 30.3 percent.
 - *South and east, first floor:* At least 20 percent of the ground floor walls facing the surface parking area, measured between 2 and 10 feet above the adjacent grade, are required to be windows. Twenty percent of the east first floor wall is equal to 110 square feet. The proposed amount of windows on the east wall is approximately 40.2 percent. Twenty percent of the south first floor wall is equal to 56 square feet. No windows are proposed on the south wall. The applicant is requesting alternative compliance (please see the alternative compliance section below for further analysis).
 - *South and east, upper floors:* At least 10 percent of each of the upper level walls is required to be windows. Ten percent of each east upper floor wall is equal to 72 square feet. The proposed amount of windows on each of these walls is approximately 30.7 percent. Ten percent of each of the south upper floor walls is equal to 37 square feet. The proposed amount of windows on each of these walls is approximately 27.8 percent.
- All windows used to meet the minimum window requirements are vertical in proportion and distributed in a more or less even manner.
- Only 56 percent of the linear building frontage along the ground floor wall facing France Avenue is designed to accommodate active functions. The enclosed vehicle and bicycle parking areas accommodate the remaining building frontage. The applicant is requesting alternative compliance

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(please see the alternative compliance section below for further analysis).

- A flat roof is proposed on the building. The properties on this block that have frontage on France Avenue also have flat roofs.
- The proposed parking garage would not have sloped floors.

ACCESS AND CIRCULATION:

- Clear and well-lighted walkways of at least four (4) feet in width shall connect building entrances to the adjacent public sidewalk and to any parking facilities located on the site.
- Transit shelters shall be well lighted, weather protected and shall be placed in locations that promote security.
- Vehicular access and circulation shall be designed to minimize conflicts with pedestrian traffic and surrounding residential uses.
- Traffic shall be directed to minimize impact upon residential properties and shall be subject to section 530.150 (b) related to alley access.
- Site plans shall minimize the use of impervious surfaces.

Conformance with the above requirements:

- The principal entrances to both the lobby and individual dwelling units are located off of France Avenue South and would be connected via well-lit walkways of at least 4 feet in width to the public sidewalk.
- The site is not immediately adjacent to a transit stop.
- The proposed development has been designed to minimize conflicts with pedestrian traffic and surrounding residential uses. Access to the proposed parking would be split between an 18-foot wide curbcut off of France Avenue and the adjacent public alley. As discussed in the variance findings above, the alley access should have a minimal impact on residential properties.
- The site has been designed to minimize the use of impervious surfaces for parking areas and driveways. Of the 14,707 square feet of impervious surfaces proposed, approximately 4,000 square feet of that coverage is attributed to the proposed parking areas and driveways. By comparison, nearly 4,300 square feet of the site not occupied by the building will be landscaped. The applicant has also proposed a green roof to increase landscaping on the site.

LANDSCAPING AND SCREENING:

- The composition and location of landscaped areas shall complement the scale of the development and its surroundings.
 - Not less than twenty (20) percent of the site not occupied by buildings, including all required landscaped yards, shall be landscaped as specified in section 530.160 (a).
- Required screening shall be six (6) feet in height, unless otherwise specified, except in required front yards where such screening shall be three (3) feet in height.
- Except as otherwise provided, required screening shall be at least ninety-five (95) percent opaque throughout the year. Screening shall be satisfied by one or a combination of the following:
 - A decorative fence.
 - A masonry wall.
 - A hedge.
- Parking and loading facilities located along a public street, public sidewalk or public pathway shall comply with section 530.170 (b), including providing landscape yards along a public street, public sidewalk or public pathway and abutting or across an alley from a residence or office residence district, or any permitted or conditional residential use.
- The corners of parking lots where rows of parking spaces leave areas unavailable for parking or vehicular circulation shall be landscaped as specified for a required landscaped yard. Such spaces may include architectural features such as benches, kiosks or bicycle parking.

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- In parking lots of ten (10) spaces or more, no parking space shall be located more than fifty (50) feet from the center of an on-site deciduous tree. Tree islands located within the interior of a parking lot shall have a minimum width of seven (7) feet in any direction.
- All other areas not governed by sections 530.160 and 530.170 and not occupied by buildings, parking and loading facilities or driveways, shall be covered with turf grass, native grasses or other perennial flowering plants, vines, mulch, shrubs or trees.
- Installation and maintenance of all landscape materials shall comply with the standards outlined in section 530.210.
- The city planning commission may approve the substitution or reduction of landscaped plant materials, landscaped area or other landscaping or screening standards, subject to section 530.80, as provided in section 530.220.

Conformance with above requirements:

- The zoning code requires that a least 20 percent of the site not occupied by buildings be landscaped. The lot area of the site is approximately 19,003 square feet. The building footprint, including the parking garage, would be approximately 12,992 square feet. The lot area minus the building footprint therefore consists of approximately 6,011 square feet. At least 20 percent of the net site area (1,202 square feet) must be landscaped. Approximately 4,296 square feet of the site would be landscaped. That is equal to 71.5 percent of the net lot area.
- The zoning code requires at least one canopy tree for each 500 square feet of required green space and at least one shrub for each 100 square feet of required green space. The tree and shrub requirement for this site is 3 and 12 respectively. The applicant is proposing to provide 5 canopy trees, 5 coniferous trees, 3 ornamental trees, and 12 shrubs.
- The remainder of the landscaped area would be covered with sod, ornamental grasses and perennials.
- Installation and maintenance of all landscape materials will need to comply with the standards outlined in section 530.210.
- A 7-foot wide landscaped yard with screening that is 6 feet in height and 95 percent opaque is required adjacent to the east and south lot lines as a buffer to the adjacent residential properties. A 9-foot wide landscaped yard would be provided along the south lot line, but with no screening. No landscaping or screening would be provided along the east lot line, which is adjacent to the alley. The applicant is requesting alternative compliance (please see the alternative compliance section below for further analysis).
- All areas of the parking area that are unavailable for parking and maneuvering would be landscaped.
- Although only 6 surface parking spaces are proposed, each would be within 50 feet of an on-site canopy tree.

ADDITIONAL STANDARDS:

- All parking lots and driveways shall be designed with wheel stops or discontinuous curbing to provide on-site retention and filtration of stormwater. Where on-site retention and filtration is not practical, the parking lot shall be defined by six (6) inch by six (6) inch continuous concrete curb.
- To the extent practical, site plans shall minimize the blocking of views of important elements of the city.
- To the extent practical, buildings shall be located and arranged to minimize shadowing on public spaces and adjacent properties.
- To the extent practical, buildings shall be located and arranged to minimize the generation of wind currents at ground level.
- Site plans shall include crime prevention design elements as specified in section 530.260 related to:
 - Natural surveillance and visibility
 - Lighting levels

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- Territorial reinforcement and space delineation
- Natural access control
- To the extent practical, site plans shall include the rehabilitation and integration of locally designated historic structures or structures that have been determined to be eligible to be locally designated. Where rehabilitation is not feasible, the development shall include the reuse of significant features of historic buildings.

Conformance with above requirements:

- The driveway and surface parking area accessed from the alley are designed for on-site retention and filtration of stormwater. On-site filtration and retention of stormwater runoff from the driveway accessed from France Avenue is not practical.
- The building should not impede any views of important elements of the City.
- The building should not significantly shadow the adjacent street or surrounding properties. The applicant has submitted a shadow study, which is attached to this report.
- Wind currents should not be major concern. The building would contain recesses and projections on all sides of the building and vertical landscaping will be provided.
- The site includes crime prevention design elements. An abundant amount of windows would be provided on all sides of the building to allow natural surveillance. Walkways would be provided to guide people to, from and around the site. Landscaping would distinguish public areas from private areas.
- There are no designated or eligible historic structures on the subject property. The applicant has received historic review letters from the City that indicate their lack of significance.

Section B: Conformance with All Applicable Zoning Code Provisions and Consistency with the Comprehensive Plan and Applicable Small Area Plans Adopted by the City Council

ZONING CODE: A multiple-family dwelling with 5 or more units is a permitted use in the R5 district. With the approval of the rezoning, variances and site plan review, this development would meet the requirements of the R5 zoning district.

Parking and Loading:

Minimum automobile parking requirement: In the R5 zoning district, a minimum of one parking space per dwelling unit is required for multiple-family dwellings. With 31 units proposed, at least 31 spaces are required. At least 75 percent of the required spaces (23) need to comply with the standard size space requirements. The applicant is proposing to provide a total of 41 spaces (35 enclosed and 6 surface), which exceeds the minimum requirement. Of those spaces, 8 will be compact and 33 will be standard in size. Two accessible spaces are also proposed.

Minimum drive aisle requirement: The minimum drive aisle width requirement for two-way traffic adjacent to 90 degree angled parking is 22 feet. Drive aisles at least 22 feet in width would be provided in the enclosed parking garages. A 2 foot wide drive aisle would be provided between the surface parking spaces and the public alley. A variance is required to reduce the minimum drive aisle width requirement to allow the surface parking spaces adjacent to the alley.

Maximum automobile parking requirement: The maximum automobile parking requirement for residential uses is 2 spaces per dwelling unit (excluding those parking stalls within an enclosed structure). Six spaces would not be enclosed.

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Bicycle parking requirement: Multiple-family dwellings with 5 or more units have a minimum bicycle parking requirement of one space per two dwelling units. Not less than 90 percent of the required bicycle parking must meet the standards for long-term bicycle parking. Required long-term bicycle parking spaces must be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather and shall be accessible to intended users. Bicycle parking for residential uses cannot be located within dwelling units or within deck or patio areas accessory to dwelling units. A total of 16 bicycle parking spaces are required, of which at least 14 must comply with the long-term requirements. The applicant is proposing to provide 36 long-term spaces.

Loading: Not applicable for this development.

Proposed Lot Area: The proposed lot area is 19,003 square feet.

Maximum Floor Area Ratio: The maximum FAR (the gross floor area of the building divided by the area of the lot) for a multiple-family dwelling in the R5 zoning district is 2.0. The development qualifies for a density bonus for enclosing all of the required parking. This increases the maximum FAR to 2.4. The proposed gross floor area (does not include enclosed parking area) is approximately 30,844 square feet, which is an FAR of 1.62.

Minimum Lot Area: The minimum lot area requirement is 5,000 square feet.

Dwelling Units per Acre: The applicant proposes a density of approximately 71 dwelling units per acre.

Height: Maximum building height for a multiple-family dwelling located in the R5 zoning district is 4 stories or 56 feet, whichever is less. The height of the proposed building is 3 stories and 43 feet as measured to the top of the roof plus a 2 foot parapet. Please note that the proposed basement level is not considered a story under the Zoning Code definition of story because the finished floor surface directly above the basement floor space is not more than six feet above grade for more than 50 percent of the total perimeter, and the basement floor space is not more than twelve feet above grade at any point.

Yard Requirements:

Minimum front yard requirement: A front yard is required adjacent to France Avenue. The minimum front yard requirement is 15 feet unless the setback of an adjacent structure, originally designed for residential purposes located on the same block face on either side of the property, is greater. The structure to the north was originally constructed as a nonresidential building and is located in the C1 district. The adjacent residential structure to the south is set back 29.6 feet from the front lot line. Therefore, a 29.6 foot front yard is required. The proposed building would be set back up to 15 feet from the front lot line. Walkways and stairs that do not exceed 6 feet in width, balconies not exceeding 50 square feet in area and projecting not more than 4 feet into the required yard, and canopies/awnings projecting not more than 2.5 feet into the yard, walls retaining natural grade, and driveways are permitted obstructions in front yards. The proposed balconies and canopy do not comply with all of the allowed location and size requirements. Transformers are not permitted obstructions. Therefore, a variance is required to reduce the front yard requirement to allow the proposed building, balconies, canopy, and transformer.

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Minimum interior side yard requirements: An interior side yard is required along the north and south lot lines. The minimum interior side yard requirement is equal to $5+2x$, where x is equal to the number of stories above the first floor. A 3-story building is proposed; therefore the minimum requirement is 9 feet. The north and south sides of the building would be located 9 feet or more from the side lot lines. Parking areas are allowed to be located in an interior side yard provided they are located in the rear 40 feet of the lot. The parking area would not be located in the side yards and would be setback 9 feet from the south lot line.

Minimum rear yard requirement: A rear yard is required adjacent to the alley. The minimum requirement is equal to $5+2x$, where x is equal to the number of stories above the first floor. A 3-story building is proposed; therefore the minimum requirement is 9 feet. The building and balconies would be setback 10 feet or more. Walkways not exceeding 4 feet in width and driveways are permitted obstructions in rear yards. Parking areas are allowed to be located in a rear yard provided they are located in the rear 40 feet of the lot.

Building Coverage: The maximum building coverage in the R5 district is 70 percent. The proposed building footprint is 10,537 square feet, which covers 55.4 percent of the site.

Impervious Surface Area: The maximum impervious surface coverage in the R5 district is 85 percent. The proposed amount of impervious surface is approximately 14,707 square feet, which covers 77.4 percent of the site. Impervious surface includes green roof area because it significantly prevents natural absorption of stormwater into the soil.

Refuse Screening: Refuse storage containers are required to be enclosed on all four sides by screening compatible with the principal structure not less than two feet higher than the refuse container or shall be otherwise effectively screened from the street, adjacent residential uses located in a residence or office residence district and adjacent permitted or conditional residential uses. The refuse containers would be located within the building.

Mechanical Equipment Screening: All mechanical equipment must be arranged so as to minimize visual impact and is subject to the screening requirements found in section 535.70 of the zoning. A transformer is proposed to be located in the required front yard. The applicant is proposing landscaping to minimize its visibility.

Signs: No signage is proposed at this time. Any signage must meet the requirements as outlined in Chapter 543 of the Zoning Code. Separate permits are required from the Zoning Office for any proposed signage.

Lighting: The applicant is proposing to install decorative wall mounted light fixtures at the entries; however no details were provided. A photometric plan was also not submitted as part of the application, but will be required with the final submittal. All lighting will need to be downcast and shielded to avoid undue glare. All lighting shall comply with Chapters 535 and 541 and CPED staff shall review the details of the fixtures in the final review prior to permit issuance.

COMPREHENSIVE PLAN: In addition to the principles and policies of the comprehensive plan found in the rezoning section of this report, the following apply to this development:

Land Use Policy 1.3: Ensure that development plans incorporate appropriate transportation access and facilities, particularly for bicycle, pedestrian, and transit.

- 1.3.1 Require safe, convenient, and direct pedestrian connections between principal building entrances and the public right-of-way in all new development and, where practical, in conjunction with renovation and expansion of existing buildings.
- 1.3.2 Ensure the provision of high quality transit, bicycle, and pedestrian access to and within designated land use features.

Urban Design Policy 10.4: Support the development of residential dwellings that are of high quality design and compatible with surrounding development.

- 10.4.1 Maintain and strengthen the architectural character of the city's various residential neighborhoods.
- 10.4.2 Promote the development of new housing that is compatible with existing development in the area and the best of the city's existing housing stock.

Urban Design Policy 10.5: Support the development of multi-family residential dwellings of appropriate form and scale.

- 10.5.1 Smaller-scale, multi-family residential development is more appropriate along Community Corridors and Neighborhood Commercial Nodes.

Urban Design Policy 10.6: New multi-family development or renovation should be designed in terms of traditional urban building form with pedestrian scale design features at the street level.

- 10.6.1 Design buildings to fulfill light, privacy, and view requirements for the subject building as well as for adjacent properties by building within required setbacks.
- 10.6.3 Provide appropriate physical transition and separation using green space, setbacks or orientation, stepped down height, or ornamental fencing to improve the compatibility between higher density and lower density residential uses.
- 10.6.4 Orient buildings and building entrances to the street with pedestrian amenities like wider sidewalks and green spaces.
- 10.6.5 Street-level building walls should include an adequate distribution of windows and architectural features in order to create visual interest at the pedestrian level.

Urban Design Policy 10.18: Reduce the visual impact of automobile parking facilities.

- 10.18.3 Locate parking lots to the rear or interior of the site.

Urban Design Policy 10.19: Landscaping is encouraged in order to complement the scale of the site and its surroundings, enhance the built environment, create and define public and private spaces, buffer and screen, incorporate crime prevention principles, and provide shade, aesthetic appeal, and environmental benefits.

Conformance with Applicable Development Plans or Objectives Adopted by the City Council:

There is not an adopted neighborhood or small area plan for this geographical area of the City.

ALTERNATIVE COMPLIANCE:

The Planning Commission may approve alternatives to any site plan review requirement upon finding any of the following:

- The alternative meets the intent of the site plan chapter and the site plan includes amenities or improvements that address any adverse effects of the alternative. Site amenities may include but are not limited to additional open space, additional landscaping and screening, green roof, decorative pavers, ornamental metal fencing, architectural enhancements transit facilities, bicycle facilities, preservation of natural resources, restoration of previously damaged natural environment, rehabilitation of existing structures that have been locally designated or have been determined to be eligible to be locally designated as historic structures, and design which is similar in form, scale and materials to existing structures on the site and to surrounding development.
- Strict adherence to the requirements is impractical because of site location or conditions and the proposed alternative meets the intent of this chapter.
- The proposed alternative is consistent with applicable development plans or development objectives adopted by the city council and meets the intent of this chapter.

Alternative compliance is requested by the applicant for the following standards:

Windows equal to 20 percent of the ground floor wall facing France Avenue

At least 20 percent of the ground floor wall facing France Avenue, measured between 2 and 10 feet above the adjacent grade, is required to be windows. Twenty percent of that area of the ground floor wall is equal to 211 square feet. The proposed amount of windows is approximately 17.6 percent. The proposed windows are located on walls adjacent to the lobby and the dwelling units, but not the parking garage. Thirty percent of the walls of the upper floors of the building will be windows, which far exceeds the 10 percent minimum requirement. The applicant is also proposing to install principal entrance and garage doors that contain windows to provide additional fenestration on the ground floor. These alternatives consider the security of the surrounding area and create visual interest in the building façade. For these reasons, staff is recommending that the Planning Commission grant alternative compliance.

Windows equal to 20 percent of the first floor wall facing the surface parking area

At least 20 percent of the ground floor walls facing the surface parking area, measured between 2 and 10 feet above the adjacent grade, are required to be windows. Twenty percent of the south first floor wall is equal to 56 square feet. No windows are proposed on the south wall because it is adjacent to the parking garage. The lack of windows on this wall should not have an effect on the security of the surrounding area as the applicant is proposing to provide an abundant amount of windows on the adjacent walls that face the parking area. Overall, the proposed amount of windows greatly exceeds the minimum window requirements. For these reasons, staff is recommending that the Planning Commission grant alternative compliance.

Active functions on the ground floor facing France Avenue

The ground floor of buildings are required to be designed to accommodate active functions by ensuring that parking, loading, storage or mechanical equipment rooms are limited to 30 percent of the linear building frontage facing a public street. Only 56 percent of the linear building frontage along the ground floor wall facing France Avenue is designed to accommodate active functions. The enclosed vehicle and bicycle parking areas accommodate the remaining building frontage. To make the bicycle parking room a more active space, the applicant is providing a door that connects directly to the public sidewalk, windows with views to and from the street, and a bicycle repair shop that includes a fixing stand, electric tire pump, and a welded steel workbench. The proposed bicycle room amenities address

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the adverse effects of the alternative. Therefore, staff is recommending that the Planning Commission grant alternative compliance.

Landscaping and screening requirements for the surface parking area

A 7-foot wide landscaped yard with screening that is 6 feet in height and 95 percent opaque is required adjacent to the east and south lot lines as a buffer to the adjacent residential properties. A 9-foot wide landscaped yard would be provided along the south lot line, but with no screening. No landscaping or screening would be provided along the east lot line, which is adjacent to the alley. The parking area would contain 6 spaces and would be located in the rear 20 feet of the site. Manuevering for the parking spaces would occur in the alley making providing landscaping and screening impractical. Much of the parking area would be screened from the multiple-family dwelling located to the south of the site by the adjacent detached garage and the proposed planters that border the parking spaces. For these reasons, staff is recommending that the Planning Commission grant alternative compliance.

RECOMMENDATIONS:

Recommendation of the Department of Community Planning and Economic Development for the Rezoning:

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt the above findings and **approve** the petition to rezone the property of 4525 France Avenue South from C1 Neighborhood Corridor Commercial District to R5 Multiple-family District.

Recommendation of the Department of Community Planning and Economic Development for the Variance:

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the variance to reduce the front yard requirement adjacent to France Avenue South to allow the proposed building, balcony, canopy, and transformer locations for the properties located at 4525 and 4529 France Avenue South.

Recommendation of the Department of Community Planning and Economic Development for the Variance:

The Department of Community Planning and Economic Development recommends that the City Planning Commission adopt the above findings and **approve** the variance to reduce the minimum drive aisle requirement from 22 feet to 2 feet for the properties located at 4525 and 4529 France Avenue South, subject to the following condition:

1. The width of the surface parking spaces shall not be less than 10 feet to allow adequate room for maneuvering.

Recommendation of the Department of Community Planning and Economic Development for the Site Plan Review:

The Department of Community Planning and Economic Development recommends that the City Planning Commission **approve** the site plan review for a new 3-story multiple-family dwelling with 31 units for the properties located at 4525 and 4529 France Avenue South, subject to the following conditions:

1. Department of Community Planning and Economic Development staff review and approval of the final site, landscape, floor, building elevation, and lighting plans before building permits may be issued.
2. All site improvements shall be completed by January 24, 2016, unless extended by the Zoning Administrator, or the permit may be revoked for non-compliance.

Attachments:

- Preliminary Development Review report
- Applicant's statement of use, description of the project, and responses to the rezoning and variance findings
- Correspondence
- Zoning district comparison
- Zoning map
- Plans (survey, civil, site, landscape, context, renderings, shadow studies, floor, building elevations)